

Attorney Docket: DX01074B1

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 15 2006

In re application of:

Madaline Chirica, et al.

Application No.: 10/667,290

Filed: September 18, 2003

For: MAMMALIAN RECEPTOR
PROTEINS; RELATED
REAGENTS AND METHODS

Examiner: J. Seharaseyon

Art Unit: 1647

Conf. No.: 8667

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Fax Number (571) 273-8300, on August 15, 2006.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

by:


MELANIE LYONS**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Restriction Requirement dated May 15, 2006 (the "Restriction Requirement"), Applicant submits the following response. A petition for a two-month extension of time, thereby extending the time to reply from June 15, 2006 to August 15, 2006, accompanies this response.

Applicants respectfully request that the Restriction Requirement be withdrawn, and the application be reconsidered, in light of the Preliminary Amendment filed with the application on September 18, 2003.

Although Applicants believe that the aforementioned Preliminary Amendment will be entered and will obviate the current Restriction Requirement, solely in order to comply with the language of 37 CFR 1.143, Applicants provisionally elect Group IV, with Claims 14-16 and 18-20 to a nucleic acid encoding a protein, a vector and a host cell, classified in class 536, subclass 23.5, for example, as discussed in the Office Action. The Examiner further restricted the application to only one specific nucleotide molecule from Group IV. Solely in order to comply with the language of 37 CFR 1.143, Applicants provisionally elect the recombinant nucleic acids of Claim 14, which encode

a polypeptide comprising at least ten contiguous amino acid sequences of the intracellular portion of SEQ ID NO: 2.

Applicants believe that this paper constitutes a full and complete response to the Restriction Requirement. If the Examiner disagrees, Applicants request that he contact the undersigned at his earliest convenience. If the Examiner believes that a telephone conference would aid the prosecution of this case in any way, please call the undersigned.

Applicant believes that no additional fees are due with this communication. Should this not be the case, the Commissioner is hereby authorized to debit any charges or refund any overpayments to DNAX Deposit Account No. 04-1239.

Respectfully submitted,

Date: August 15, 2006

By: Gregory R. Bellomy
Gregory R. Bellomy
Reg. No. 48,451
Attorney for Applicants

Customer No. 028008
DNAX Research, Inc.
901 California Avenue
Palo Alto, CA 94304-1104
Telephone (Switchboard): (650) 496-6400
Telephone No. (Direct): (650) 496-6565
Facsimile No.: (650) 496-1200